
STATUTORY RULES OF NORTHERN IRELAND

1995 No. 380

**The Conservation (Natural Habitats, etc.)
Regulations (Northern Ireland) 1995**

PART IV

ADAPTATION OF PLANNING AND OTHER CONTROLS

Environmental controls

Licences under Part II of the Pollution Control and Local Government (Northern Ireland) Order 1978

63.—(1) Regulations 43 and 44 (requirement to consider effect on European site) apply in relation to—

- (a) the granting of a waste disposal licence under part II of the Pollution Control and Local Government (Northern Ireland) Order 1978(1); and
- (b) the passing of a resolution under Article 13 of that Order (provisions as to land occupied by district councils themselves).

(2) Where in such a case the competent authority considers that any adverse effects of the plan or project on the integrity of a European site would be avoided by making any licence subject to conditions, it may grant a licence, or cause a licence to be granted, or as the case may be, pass a resolution, subject to those conditions.

(3) Regulations 45 and 46 (requirement to review existing decisions and consents, etc.) apply to any such licence or resolution as is mentioned in paragraph (1).

(4) Where on the review of such a licence or resolution the competent authority considers that any adverse effects on the integrity of a European site of the carrying out or, as the case may be, the continuation of the activities authorised by it would be avoided by a variation of the licence or resolution, it may vary it, or cause it to be varied, accordingly.

Discharge consents under water pollution legislation

64.—(1) Regulations 43 and 44 (requirement to consider effect on European site) apply in relation to the giving of consent under Part II of the Water Act (Northern Ireland) 1972(2).

(2) Where in such a case the Department considers that any adverse effects of the plan or project on the integrity of a European site would be avoided by making any consent subject to conditions, it may give consent, or cause it to be given, subject to those conditions.

(3) Regulations 45 and 46 (requirement to review existing decisions and consents, etc.) apply to any such consent as is mentioned in paragraph (1).

(1) S.I. 1978/1049 (N.I. 19)
(2) 1972 c. 5 (N.I.)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(4) Where on review of such a consent the Department considers that any adverse effects on the integrity of a European site of the carrying out or, as the case may be, the continuation of the activities authorised by it would be avoided by a variation of the consent, it may vary it, or cause it to be varied, accordingly.